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EXAMINER

ODOM, CURTIS B

ART UNIT

PAPER NUMBER

2634

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Please find below and/or attached an Office communication concerning this application or proceeding.

# Office Action Summary

Application No.

09/580,861

Applicant(s)

MANDYAM, GIRIDHAR D.

Examiner

Curtis B. Odom

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on 30 May 2000.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-20 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 30 May 2000 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

## Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

## Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892) 4) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_\_
- 2) ☒ Notice of Draftsperson's Patent Drawing Review (PTO-948) 5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) \_\_\_\_\_ 6) ☐ Other: \_\_\_\_\_

## DETAILED ACTION

### *Claim Objections*

1. Claims 16-18 are objected to because of the following informalities: On line 2, the phrase "said operation" is suggested to be changed to "the operation". Appropriate correction is required.

### *Claim Rejections - 35 USC § 103*

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 1-4, 11-17, and 20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Sunwoo et al. (U.S. Patent No. 6, 314, 129) in view of Powell II et al. (U.S. Patent No. 5, 633, 895).

Regarding claim 1, Sunwoo et al. discloses in a radio device operable in a radio communication system at least to receive a receive signal, the receive signal formed of a desired component transmitted (column 1, lines 15-20, spread spectrum signal is the desired component) to the radio device upon a desired receive band and at least potentially a non-desired signal component (column 2 lines 11-17, noise is the non-desired signal component) transmitted to the

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radio device upon an other-than-desired receive band, wherein the noise is from an adjacent band, an improvement of apparatus for facilitating the recovery of the desired component of the receive signal, the apparatus (Fig. 1) comprising:

a non-desired component indicia detector (Fig. 1, block 14, column 1, lines 49-57) coupled to receive indications of the receive signal, the non-desired component indicia detector for detecting an indicia of the non-desired component of the receive signal;

a receive signal sampler (Fig. 1, block 15, column 1, lines 49-57) also coupled to receive indications of the receive signal and coupled to receive indications of the indicia of the non-desired component of the receive signal detected by the non-desired component indicia detector, the receive signal sampler for sampling the receive signal at sampling times responsive to the indicia detected by the non-desired component indicia detector. Sunwoo et al. does not disclose that the receive signal once sampled is representative of the desired component of the receive signal because demodulation takes place after the sampling.

However, Powell, II et al. discloses demodulating (Fig. 1, column 3, lines 32-48) before zero-crossing detection which would cause the receive signal, once sampled, to be representative of the desired component of the receive signal. Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the receiver of Sunwoo et al. by demodulating before zero-crossing detection as taught by Powell, II et al. because the demodulation would allow for more accurate zero-crossing detection since the detection would be performed on the information signal, not the transmitted modulated signal.

Regarding claim 2, which inherits the limitations of claim 1, Sunwoo et al. further discloses the non-desired component of the receive signal exhibits a characteristic frequency,

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represented by a waveform having power-level zero-crossings (Fig. 3, column 2, lines 11-31), and wherein the indicia detected by the non-desired component indicia detector comprises indications of occurrences of the zero-crossings of the non-desired component of the zero-crossings (column 1, lines 49-51).

Regarding claim 3, which inherits the limitations of claim 2, Sunwoo et al. further discloses the non-desired component detector comprises a zero-crossing detector (Fig. 1, block 15), the zero-crossing detector for detecting times at which the non-desired component of the receive signal crosses a zero power level and for forming signal crossing indications responsive thereto (column 1, lines 49-53 and column 2, lines 26-31), wherein the symbol clock signal the signal crossing indications.

Regarding claim 4, which inherits the limitations of claim 3, Sunwoo et al. further discloses a filter element (Fig. 1, block 13, column 1, lines 48-49) positioned in line with the zero-crossing detector, the filter element for forming a filtered signal, the filtered signal forming the indications of the receive signal to which the zero-crossing detector is coupled to receive.

Regarding claim 11, which inherits the limitations of claim 1, Sunwoo et al. further discloses the desired component of the receive signal comprises a transmit signal intended to be transmitted to the radio device (column 1, lines 15-20), wherein the spread spectrum signal is the transmit signal, and wherein the non-desired component (column 2, lines 11-17) comprises and adjacent channel identifying signal, wherein noise is the non-desired component and can be caused by adjacent channels since CDMA is used for transmission.

Regarding claim 12, which inherits the limitations of claim 11, Sunwoo et al. discloses the radio communication system comprises CDMA cellular communication system (column 1,

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lines 15-35), wherein the desired receive band comprises a CDMA receive band allocated to the CDMA cellular communication system for communication thereon of CDMA signals (column 1, lines 53-55), wherein DS/CDMA comprise of cellular systems.

Regarding claim 13, which inherits the limitations of claim 12, Sunwoo et al. further discloses the radio device comprises a cellular mobile terminal (column 1, lines 20-31) having a transmit and receive portion (column 1, lines 7-13), and wherein the non-desired component indicia detector and the receive signal sampler comprise portions of the receive portion of the cellular mobile terminal (column 1, lines 41-54).

Regarding claims 14-16, the claimed method includes features that correspond with subject matter mentioned above in the rejection of claims 1, 2, and 4 are applicable hereto.

Regarding claim 17, which inherits the limitations of claim 17, Sunwoo et al further discloses the receive signal is sampled during the operation of sampling at times corresponding to occurrences of power-level zero crossings detected during the operation of detecting (column 1, lines 49-53 and column 2, lines 26-31).

Regarding claim 20, the claimed method includes features that correspond with subject matter mentioned above in the rejection of claim 1 are applicable hereto.

4. Claims 5-10, 18, and 19 are rejected under 35 U.S.C. 103(a) as being unpatentable over Sunwoo et al. (U.S. Patent No. 6, 314, 129) in view of Powell, II et al. (U.S. Patent No. 5, 633, 895) and in further view of Tateishi (U.S. Patent No. 5, 748, 045).

Regarding claims 5 and 6, Sunwoo et al. and Powell, II et al. disclose all the limitations of claim 5 and 6 (see previous rejection of claim 4), except a digitizer in line with the filter element and coupled to receive representations of the receive signal, the digitizer for digitizing

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the representations of the receive signal, the digitized representations applied to the filter element wherein the indications of the receive signal of which the receive signal sampler is coupled to receive comprise the digitized representations of the receive signal.

However, Tateishi discloses a digitizer (Fig. 4, block 5, column 4, lines 6-10) to receive representations of the receive signal, and digitizing the representations of the receive signal, the digitized representations applied to a zero crossing detector (Fig. 4, block 31, column 4, lines 34-37). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the receiver of Sunwoo et al. and Powell, II et al. to include the digitizer of Tateishi to allow the filtering, zero-crossing detection and sampling to be performed in the digital domain which would allow for consistent signal quality and resistance to noise and interference in the receiver which could damage the signal during processing.

Regarding claim 7, which inherit the limitations of claim 6, Sunwoo et al., Powell, II et al, and Tateishi do not disclose a delay element positioned between the digitizer and the receive signal sampler, the delay element for delaying application of the digitized representation of the receive signal to the receive signal sampler for a selected time period. However, it would have been obvious to one skilled in the art at the time the invention was made to include this feature to have the signal arrive at the sampler at the same time as the indications from the detector in order to properly sample the signal using the zero-detection readings. Sampling with the indications would produce a more accurate information signal with reduced noise.

Regarding claim 8, which inherits the limitations of claim 7, Sunwoo et al., Powell, II et al, and Tateishi do not disclose the delay element delays the digitized representation of the receive signal substantially corresponds to a time period required by the filter element to form

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the filtered signal. However, it would have been obvious to one skilled in the art at the time the invention was made to include this feature to have the signal arrive at the sampler at the same time as the indications from the detector in order to properly sample the signal using the zero-detection readings. Sampling with the indications would produce a more accurate information signal with reduced noise.

Regarding claim 9, which inherits the limitations of claim 5, Tateishi further discloses a clock signal generator (Fig. 4, block 9, column 4, lines 6-9) coupled to the digitizer, the clock signal generator for generating a clock signal of a clock rate responsive to which the digitizer digitizes the representation of the receive signal. It would have been obvious to one of ordinary skill in the art to include this feature because controlling the sampling frequency allows one to obtain the most accurate representation of the digital signal.

Regarding claim 10, which inherits the limitations of claim 9, Tateishi does not disclose the clock rate of the clock signal generated by the clock signal generator is greater than the characteristic frequency of the non-desired signal component of the receive signal. It would have been obvious to one of ordinary skill in the art to include this feature to reduce the noise in the digital representation of the signal.

Regarding claims 18 and 19, the claimed method includes features that correspond with subject matter mentioned above in the rejection of claim 5 and 10 are applicable hereto.



*Conclusion*

5. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Yang (U.S. Patent No. 6, 160, 857) discloses detecting zero-crossings and applying the zero-crossing detections to the sampling rate.

Yang et al. (U.S. Patent No. 5, 646, 698) discloses a zero-crossing detector which drives a sampler wherein the demodulation comes before the zero-crossing detection.

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Curtis B. Odom whose telephone number is 703-305-4097. The examiner can normally be reached on Monday- Friday, 8-5.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Stephen Chin can be reached on 703-305-4714. The fax phone numbers for the organization where this application or proceeding is assigned are 703-872-9314 for regular communications and 703-872-9314 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-305-3900.

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Curtis Odom

June 12, 2003



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